



City of Santa Barbara California

PLANNING COMMISSION STAFF REPORT

REPORT DATE: October 13, 2005
AGENDA DATE: October 20, 2005
PROJECT ADDRESS: 3885-3887 State Street (MST2004-00801)
TO: Planning Commission
FROM: Planning Division, (805) 564-5470
Jan Hubbell, AICP, Senior Planner
Kathleen Kennedy, Assistant Planner

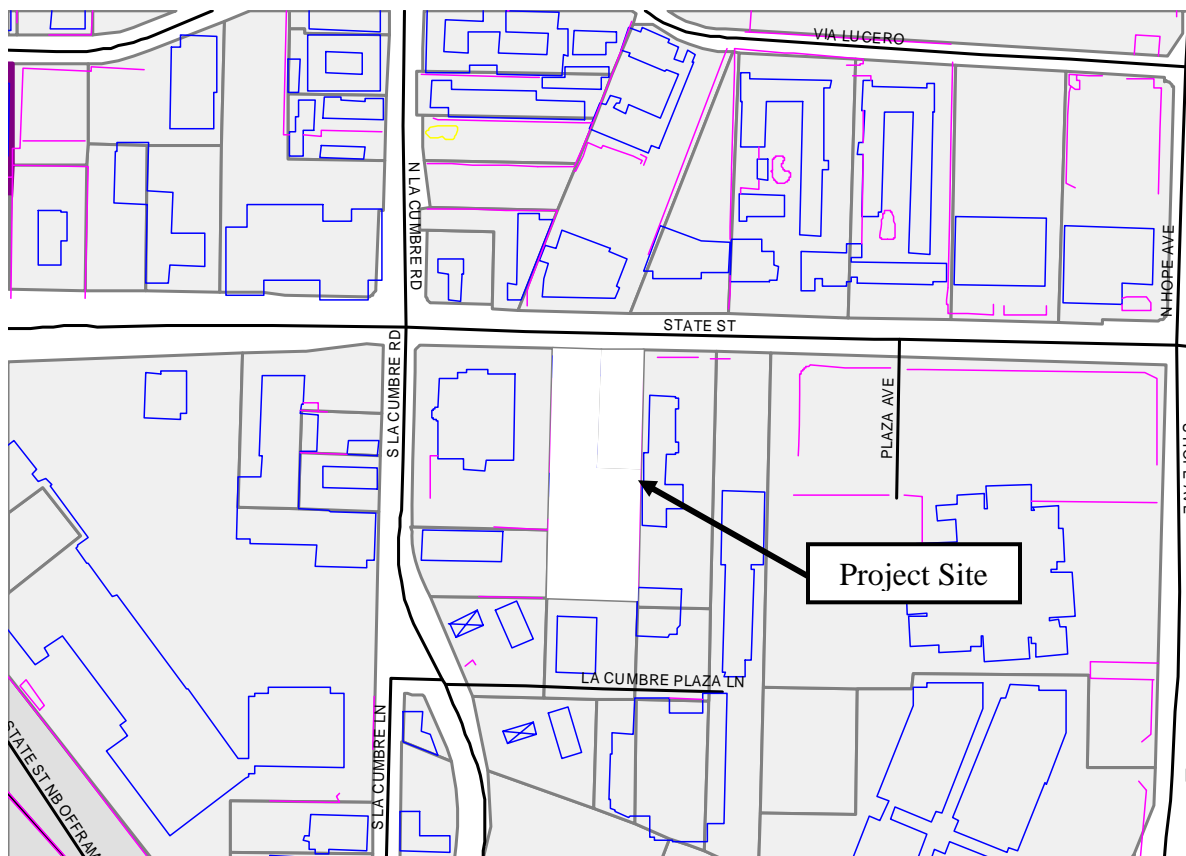
I. SUBJECT

The project consists of a merger of two parcels and the construction of a new mixed-use development with three commercial spaces (9,049 sq. ft. total) and fifty-five (55) one-bedroom condominium units. The residential condominium units consist of 38 market rate units, 15 middle income affordable units and 2 moderate income affordable units. The proposal includes 99 parking spaces (84 spaces in a subterranean garage and 15 uncovered spaces). The existing 12 room motel and the 22,250 square foot office building would be demolished.

The discretionary applications required for this project are:

1. Modification to allow encroachments into the front yard setback along State Street (SBMC§28.45.008);
2. Modification of lot area requirements to allow twenty-one (21) bonus density residential condominium units (SBMC§28.21.080.G);
3. Modification to allow less than the required number of parking spaces (SBMC§28.90.100);
4. Tentative Subdivision Map for a one-lot subdivision of two merged lots to create fifty-five (55) residential condominium units and three (3) commercial condominium units (SBMC§27.07 and 27.13).

DATE APPLICATION ACCEPTED: August 22, 2005
DATE ACTION REQUIRED: November 20, 2005



Vicinity Map for 3885 and 3887 State Street

II. SITE DESCRIPTION

Applicant:	Barry Berkus, B3 Architects
Property Owners:	Cleo M. Purdy and Michael G. Schmidtchen, Co-trustees
Project Addresses:	3885 and 3887 State Street
Parcel Number:	051-022-012 and 051-022-033
General Plan:	General Commerce
Zoning:	C-2/SD-2: Commercial, Upper State Street Area Zones
Environmental Assessment:	Categorically Exempt per CEQA Guidelines Section 15332 (In-fill Development Project)
Existing Use:	Motel and Office
Proposed Use:	Mixed-use development
Topography:	3% slope

Access: State Street and La Cumbre Plaza Lane

Adjacent Land Uses:

North: Commercial Retail and Office

South: Commercial Retail

East: Church

West: Commercial Retail and office

III. SITE STATISTICS

EXISTING LOT AREA:

3885 State St. (APN 051-022-012) 14,107 square feet (0.3 acres)

3887 State St. (APN 051-022-033) 48,224 square feet (1.1 acres)

Total lot area 62,331 square feet (1.43 acres)

PROPOSED LOT COVERAGE:

-Building 24,932.40 square feet (40 %)

-Landscaping/Open Space 17,697.68 square feet (28 %)

-Paving/Driveway 19,700.90 square feet (32%)

Total 62,330.98 square feet (100%)

PROPOSED SQUARE FOOTAGE – RESIDENTIAL:

<u>Unit type</u>	<u>Number of Units</u>	<u>Square footage</u>	<u>Total square footage</u>
A	30	1,083	32,490 square feet
B	17	644	10,948 square feet
C	4	1,200	4,800 square feet
<u>D</u>	<u>4</u>	<u>1,427</u>	<u>5,708 square feet</u>
Total Residential			53,946 square feet

PROPOSED SQUARE FOOTAGE - COMMERCIAL:

Commercial Space	3,084 square feet
Commercial Space	2,931 square feet
<u>Commercial Space</u>	<u>3,034 square feet</u>
Total Commercial	9,049 square feet
Total Proposed Development	62,995 square feet

COMMON OPEN SPACE AREA:

- Required: 10% of lot area (6,2331 square feet) or
15% of lot area (9,349.65 square feet)
- Provided: 28% of lot area (17,697.68 square feet)

PRIVATE OUTDOOR LIVING SPACE: (if using 10% common open space requirement)

	<u>Required</u>	<u>Provided</u>
Ground floor units:	120 square feet	120 and 305 square feet
Upper floor units:	72 square feet	101, 108 and 239 square feet

PROPOSED PARKING:

- Required - Zoning: 133 spaces (83 residential, 14 visitor and 36 commercial)
- Required - Demand: 94 spaces (77 residential, 1 office and 16 retail)
- Provided: 99 spaces (55 residential, 29 residential/commercial, 15 commercial)

IV. PROJECT DESCRIPTION

The project site consists of two parcels. The 3885 State Street parcel (APN 0051-022-012) is 14,107 square feet (0.324 acres) and the 3887 State Street parcel (APN 0051-022-033) is 48,224 square feet (1.107 acres). The project site is located in the C-2/SD-2, Commercial and Upper State Street Area Zone Districts near the intersection of State Street and La Cumbre Road. The 3885 State St. site is currently developed with a 12 room motel and manager's apartment and the 3887 State St. parcel is currently developed with a 22,250 square foot two-story office building.

The proposed project consists of a merger of the two parcels and the existing 12 room motel and the 22,250 square foot office building would be demolished. A new mixed-use three-story development with three commercial spaces (9,049 sq. ft. total) and fifty-five (55) one-bedroom condominium units would be constructed. The residential condominium units consist of 38 market rate units, 15 middle income affordable units and 2 moderate income affordable units. The proposal includes 99 parking spaces of which 84 spaces would be in a subterranean garage and 15 would be uncovered.

The thirty-eight (38) market rate residential units have been described by the applicant as "live-work lofts" which provide dedicated space near the front door that could be used as a separate work area. All residential units are limited to residential use only; therefore, only home occupations as described in SBMC§28.04.280, not commercial uses, would be allowed in the units.

The amount of commercial space would be reduced on the site from approximately 22,250 square feet to 9,049 square feet. Three separate commercial areas are proposed with two to be located on the first floor along State Street and the third to be located at the interior of the development.

Currently, each parcel has access from State Street. The proposed development would require only one driveway; thereby eliminating one curb cut. The existing easement across the adjacent property to the south that connects to La Cumbre Plaza Lane would be maintained, as

would the access easement from the adjacent Galleria property to the west. The applicant would dedicate three and one-half feet (3-1/2') in width along the street frontage in order to provide for a new eight foot wide sidewalk and four foot wide parkway.

V. ENVIRONMENTAL REVIEW

Staff has determined that the project is exempt from further environmental review pursuant to California Environmental Quality Act Guidelines Section 15332 (In-fill Development Project) as discussed below.

In-fill Development Project: CEQA Guidelines Section 15332 is an exemption that consists of projects characterized as in-fill development meeting the conditions described below.

1. The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations. *With the approval of the requested Modifications, the project would be consistent with the general plan designation (General Commerce), all applicable general plan policies, the zoning designation (C-2/SD-2: General Commercial/ Upper State Street Area) and regulations.*
2. The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses. *The project site consists of two existing parcels equaling 62,409 square feet (1.43 acres) within the City limits and is substantially surrounded by urban uses.*
3. The project site has no value as habitat for endangered, rare, or threatened species. *The existing use on the site is a motel and office building and it has no value as habitat for endangered, rare, or threatened species.*
4. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

Traffic: A Phase 1 Traffic and Parking Assessment dated April 1, 2005 was prepared by Associated Transportation Engineers (see Exhibit E). Staff has reviewed and accepted the analysis and conclusions in the report. Based on the rates for Residential Condominium (230), General Office Buildings (710), and Specialty Retail (814) uses, provided by the Institute of Transportation Engineers (ITE) manual, it has been determined that approximately 40 AM peak hour trips and 65 PM peak hour trips would be generated by the proposed mixed-use development. The trip generation analysis assumes a 10% pass by factor for the retail uses. The average daily trips (ADT) for the proposed mixed-use development are estimated to total about 650 trips per day.

The existing motel, apartment, and office building are estimated to generate approximately 65 AM peak hour trips and 70 PM peak hour trips, with an average of 540 daily trips. Although the analysis shows a net increase in the ADT for the new mixed-use development, this increase in the number of daily trips is expected to be spread over the 16 non-peak hours. The public is not expected to perceive a change in the traffic patterns due to this increase in the number of average daily trips. The traffic generation analysis also shows that there will be a net reduction in AM peak hour trips by approximately 25 trips

and PM peak hour trips by approximately 5 trips. Although the analysis shows a net decrease in the peak hour traffic numbers, the public will not likely perceive such a small reduction in the number of trips over the peak hour. Because the analysis shows that the project will have a net decrease in peak hour trips, development is not anticipated to have an adverse impact on adjacent streets or intersections.

Noise: According to the City's Master Environmental Assessment (MEA), the southern half of the project site is located within the 60-65 dBA (decibels) noise contour and the northern portion is located within the 65-70 dBA noise contour, with the primary noise source being traffic. During review of the project, an acoustical analysis was required to determine whether the outdoor noise level for the required outdoor living areas associated with the residential units could be reduced to under 60 db(A).

As stated in the Zoning Ordinance (SBMC§28.21.081), residential condominium projects must meet the outdoor living space requirements by providing an open space area of not less than 10% of the total lot area and by providing private outdoor living space areas for each unit or by providing an open space area of not less than 15% of the total lot area. The proposed project meets the requirement by providing an open space area of not less than 15% of the total lot area. Although not required, the proposed project also includes private outdoor living spaces for each unit.

Dudek and Associates prepared a Noise Study dated April 11, 2005 (see Exhibit F). The noise study concluded that the predicted noise levels for the common open space areas included in the 15% of the total lot area would not exceed 57 dB CNEL, which is within the acceptable range. The noise study also analyzed the private outdoor living spaces and concluded that the noise level for all but 11 of the 55 units would fall within the acceptable range. To achieve 60 dB CNEL in the eleven units, construction of sound walls would be required. The sound walls for the four second level patios immediately adjacent to State Street would need to be a minimum of six feet in height. The sound walls for the four (4) third level patios immediately adjacent to State Street would need to be a minimum of five feet in height. The three units (1, 14, & 35) on the east side of the development closest to State Street would require a solid wall or surface for the side of the patio directly facing State Street. Staff recommends that the additional sound walls be required, subject to ABR review. With the addition of sound walls or the removal of the non-required private outdoor living spaces, the potential noise impacts associated with the development would be less than significant.

Air Quality: The City uses the Santa Barbara County Air Pollution Control District's (APCD) thresholds of significance for air quality impacts. Based on the APCD's Land Use Screening Table, a project of fifty-five (55) residential units and 9,049 square feet of commercial space would not result in significant air quality impacts. The project would involve grading, paving and landscaping activities that could result in short-term dust related impacts. Standard dust control measures are included in the conditions of approval; therefore, no significant air quality effects would result.

Water Quality: A condition of approval is included that requires the installation of onsite pollution prevention interceptor devices; therefore, the proposed project would

not be expected to cause significant impacts to water quality.

5. The site can be adequately served by all required utilities and public services. *All required utilities and public services are available to adequately serve the project.*

VI. ARCHITECTURAL BOARD OF REVIEW (ABR)

The Architectural Board of Review (ABR) reviewed the proposed project on February 14, 2005 and was, overall, supportive of the project including the size and scale and the modifications. Some of the concerns expressed by the ABR include a loss of detail on the back building, the regularity of forms, the aggressiveness of the State Street elevation, the repetitiveness of some arch forms, and the heaviness of the bridge structures. The minutes from the ABR meetings are attached as Exhibit D. Preliminary and final approval by the ABR will be required following Planning Commission approval of the project.

VII. ISSUES

In order to approve a Tentative Subdivision Map, the project must be found consistent with the City's General Plan and Zoning Ordinance. The proposed development would result in a mixed use development in an existing urbanized area that is currently developed with commercial and residential uses.

A. ZONING ORDINANCE CONSISTENCY

1. Front Yard Setback Modification

The project site is located in the SD-2 Overlay Zone District, which requires a twenty (20') foot front yard setback along State Street. The western portion of the proposed project would encroach approximately six feet into the required setback and the eastern portion would encroach approximately sixteen feet; therefore, a setback Modification would be required. Staff is supportive of the requested modification because it would be consistent with the recommendations in the City's Urban Design Guidelines to locate buildings closer to the street, thus creating an enhanced pedestrian environment. The project would also dedicate a 3.5 foot wide easement to the City in order to create a four foot wide parkway and an eight foot wide sidewalk.

2. Lot Area Modification

The proposed project consists of 55 residential condominium units. Per the Zoning Ordinance (SBMC§28.21.080.G), each one-bedroom unit requires 1,840 square feet of lot area; therefore, 34 one-bedroom units would be allowed on the 62,331 square feet lot. The City allows increased density on lots when affordable units are proposed in accordance with the City's Affordable Housing Policies and Procedures. The City's standard affordability requirement for density bonus units is that the units within the first 25% density bonus must be affordable to middle income buyers, and those units above the first 25% density bonus must be affordable to upper-middle income buyers. As allowed in the City's density bonus policies, the proposed project is proposing to meet the affordability requirements for the 21 density bonus units through an alternative that would provide equivalent or greater "below market benefit." In order to do this, a

mix of 15 middle income units, 2 moderate income units, and 4 market rate density bonus units are proposed. Staff is in support of the lot area modification that would result in the creation of new affordable units in the City.

This project is also subject to the inclusionary Housing Ordinance. For 34 units, five inclusionary units would be required. This project exceeds the inclusionary requirement.

3. **Parking Modification**

The parking requirement for the proposed project, per the Zoning Ordinance (SBMC§28.90.100), is 83 spaces for the residential uses, 14 spaces for residential visitor use and 36 spaces for the commercial uses for a total of 133 parking spaces. The parking demand study prepared by Associated Traffic Engineers dated April 1, 2005 (see Exhibit E) concludes that the parking demand for the proposed project would be 94 parking spaces. This total was based on using the rates for condominiums, offices, and retail shopping centers in the ITE Parking Generation handbook. The total parking demand onsite would be 94 spaces and the project is proposing 99 spaces; therefore, the parking demand would be met on site.

B. GENERAL PLAN CONSISTENCY

1. **Land Use Element**

The project site has a General Plan land use designation of General Commerce and is located in the North State Street area which is usually referred to as the Upper or Outer State Street area. The Upper State Street area includes the land area between Highway 154 to the east and Alamar Avenue on the west, between Foothill Road to the north and Highway 101 to the south. This area is an intensively developed commercial strip, with a scattering of multiple family residential developments. The General Plan calls for a mix of office and hotel uses combined with general commercial uses, and a trend of such uses is expected to continue. Although the General Plan states that little or no residential growth is anticipated for this area, recent trends have shown that residential growth is currently the “highest and best use” in the City and more residential growth in the area is expected.

2. **Housing Element**

The City has made a commitment to address the City’s housing problems to the extent feasible by implementing the policies and strategies of the Housing Element of the General Plan, which is the City’s housing policy document and which sets forth the City’s action program for housing.

One of the central goals identified in the Housing Element is the availability of affordable housing for all social and economic segments of the community. The proposed project includes seventeen (17) residential units that would be restricted under the City’s Affordable Housing Program and would contribute a needed segment to the mix of units in the City.

Another goal of the Housing Element is to protect existing neighborhood character while encouraging compatible infill development. One of the implementation strategies is to consider allowing increased densities along transit and transportation corridors, such as State Street. The project received generally favorable comments from the Architectural Board of Review, and Staff concurs that the project can be found compatible with the surrounding development in the Upper State Street area. In addition, both the Housing Element and the Circulation Element encourage the development of mixed-use projects.

VIII. RECOMMENDATION/FINDINGS

The proposed mixed-use development is consistent with the Zoning Ordinance and General Plan and complies with applicable standards governing new residential and commercial development. Therefore, staff recommends that the Planning Commission make the following findings and approve the project subject to the attached Conditions of Approval (Exhibit A):

A. FRONT YARD SETBACK MODIFICATION (SBMC§28.45.008);

In order for the Planning Commission to approve the requested modification to allow the buildings to encroach into the required twenty-foot front yard setback along State Street, it must be found that the modification is consistent with the purposes and intent of the Zoning Ordinance and that it is necessary to secure an appropriate improvement on a lot, prevent unreasonable hardship, or promote uniformity of improvement.

The approval of the front yard modification would enable the development to comply with the recommendation in the City's Urban Design Guidelines to locate buildings closer to the street and to provide an enhanced pedestrian environment. Thus, the modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot.

B. LOT AREA MODIFICATION (SBMC§28.21.080.G)

In order for the Planning Commission to approve the requested modification of the lot area requirements to allow twenty-one (21) bonus density residential condominium units, it must be found that the modification is consistent with the purposes and intent of the Zoning Ordinance and that it is necessary to secure an appropriate improvement on a lot, prevent unreasonable hardship, or promote uniformity of improvement.

Providing affordable housing opportunities is a goal of the City expressed in the Housing Element and implemented in part in the Inclusionary Housing Ordinance, approval of the lot area modification serves to accomplish this goal and is anticipated in the implementation of the Inclusionary Housing Ordinance. Therefore, the modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot.

C. PARKING MODIFICATION (SBMC§28.90.100)

In order for the Planning Commission to approve the requested modification to allow

less than the number of parking spaces required by the Zoning Ordinance, it must be found that the modification will not be inconsistent with the purposes and intent of the Zoning Ordinance and will not cause an increase in the demand for parking spaces in the immediate area. As stated previously, the parking demand of the proposed project would be met onsite by the provision of 99 parking spaces. Thus, it can be found that the modification is consistent with the purposes and intent of the Zoning Ordinance.

D. TENTATIVE SUBDIVISION MAP FINDINGS (SBMC §27.07.100)

In order for the Planning Commission to approve the tentative subdivision map, it must be found that the proposed development is consistent with the General Plan and the Zoning Ordinance of the City of Santa Barbara. The site is physically suitable for the proposed development and the density of development. The development is not likely to cause substantial environmental damage or serious public health problems nor conflict with easements, acquired by the public at large, for access through or use of property within the proposed development. Therefore, with the approval of the requested modifications, the proposed tentative subdivision map would be consistent with the General Plan and the Zoning Ordinance.

E. RESIDENTIAL CONDOMINIUM DEVELOPMENT (SBMC §27.13.080)

The proposed project is in compliance with all provisions of the City's Residential Condominium Ordinance, is consistent with the General Plan of the City of Santa Barbara, is consistent with the principles of sound community planning and will not have an adverse impact upon the neighborhood's aesthetics, parks, streets, traffic, parking and other community facilities and resources.

Exhibits:

- A. Conditions of Approval
- B. Site Plan
- C. Applicant's letter dated October 11, 2005
- D. Architectural Board of Review Minutes
- E. Phase I Traffic and Parking Assessment dated April 1, 2005
- F. Noise Study dated April 11, 2005